

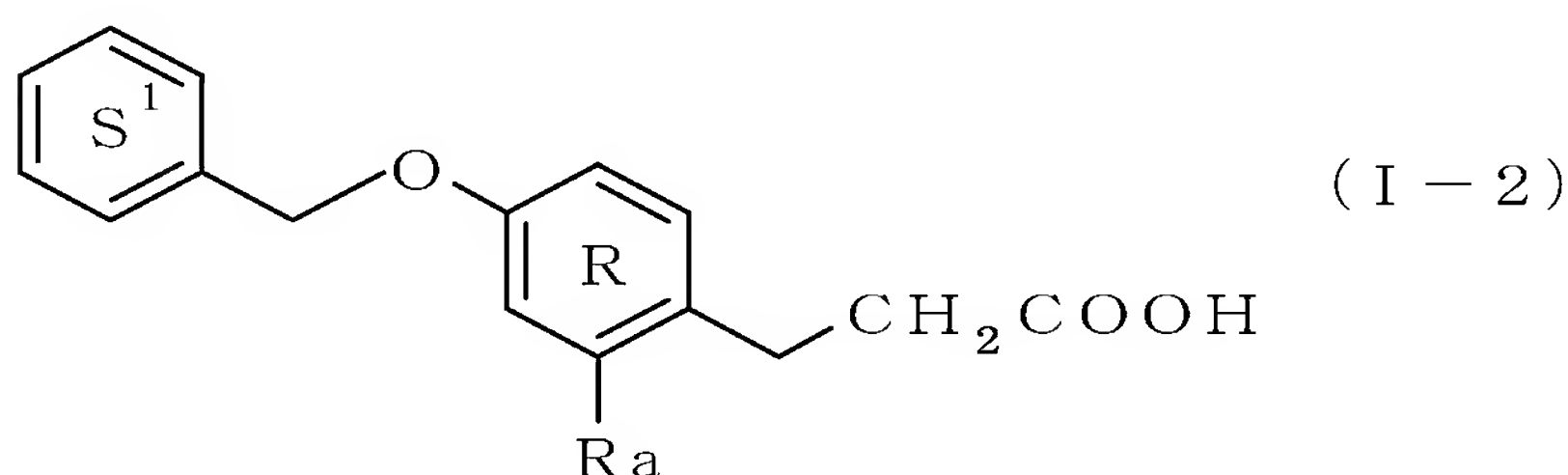
AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of claims:

1. – 12. (Cancelled)

13. (Currently amended) A compound represented by the formula



wherein ring S¹ is a benzene ring having substituent(s) having a benzene ring, wherein the substituent(s) having a benzene ring is a substituent represented by the formula:

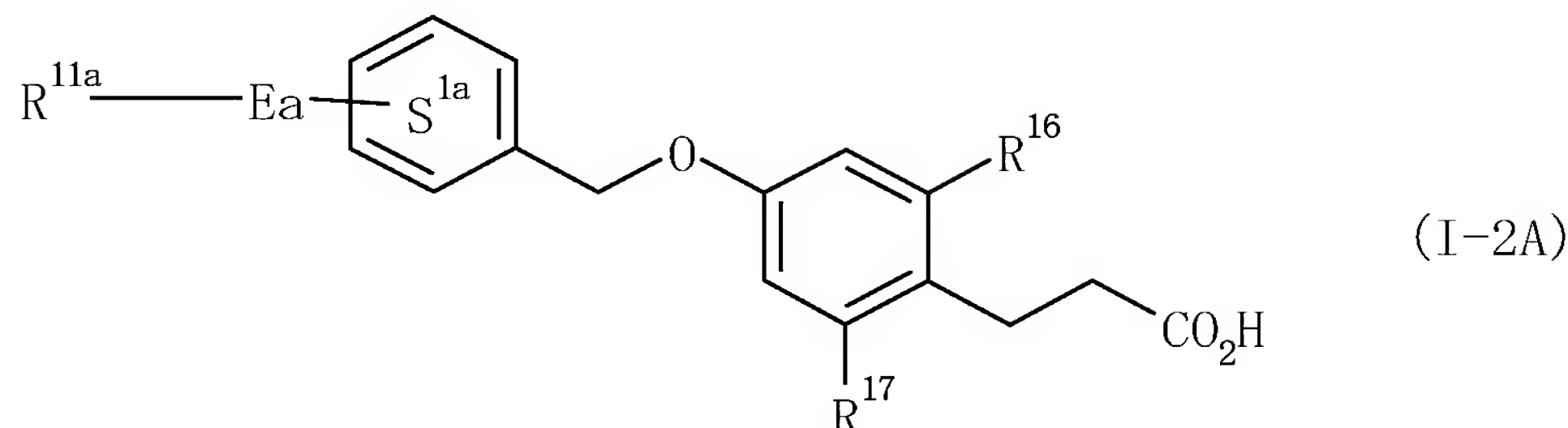
R¹¹-E²- (R¹¹ is a phenyl group, an indanyl group or a naphthyl group, each optionally having substituent(s), and E² is a bond or a spacer), and the spacer represented by E² is -(CH₂)^{m¹}-W¹-(CH₂)^{m²}- (m¹ and m² are each an integer of 0 to 3, W¹ is -O-, -N(R²)-, -S-, -CO- or -CO-N(R³)-, and R² and R³ are each a hydrogen atom or a C₁₋₆ alkyl group);

ring R is a phenylene group optionally having substituent(s); and

Ra is a hydrogen atom or a substituent; or a salt thereof, ~~except (i) 2-ethoxy-4-[[2-[(5-methyl-2-phenyl-4-oxazolyl)methoxy]phenyl]methoxy]benzenepropanoic acid, (ii) 2-ethoxy-4-[[3-[(5-methyl-2-phenyl-4-oxazolyl)methoxy]phenyl]methoxy]benzenepropanoic acid, (iii) 2-ethoxy-4-[[4-[(5-methyl-2-phenyl-4-oxazolyl)methoxy]phenyl]methoxy]benzenepropanoic acid, and (iv) 4-[[4-[(5-methyl-2-phenyl-4-oxazolyl)methoxy]phenyl]methoxy]benzenepropanoic acid.~~

14. – 15. (Cancelled)

16. (Withdrawn) The compound of claim 13, which is represented by the formula



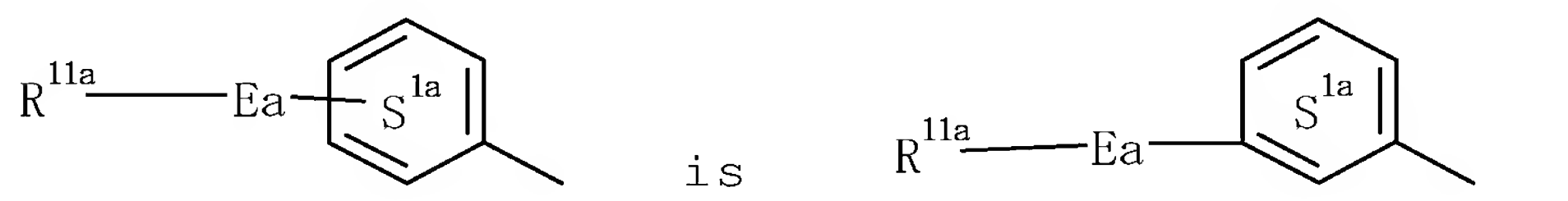
wherein R^{11a} is a phenyl group having 1 or 2 substituents, Ea is a bond, an oxygen atom or an optionally substituted methylene, ring S^{1a} is a benzene ring optionally further having substituent(s) selected from an optionally substituted C_{1-6} alkyl group, an optionally substituted C_{1-6} alkoxy group and a halogen atom, and R^{16} and R^{17} are the same or different and each is a hydrogen atom, a halogen atom, a C_{1-6} alkyl group or a C_{1-6} alkoxy group.

17. (Withdrawn) The compound of claim 16, wherein R^{11a} is a phenyl group having two substituents selected from an optionally substituted C_{1-6} alkyl group, an optionally substituted C_{1-6} alkoxy group and a halogen atom; Ea is a bond, an oxygen atom or a methylene; and R^{16} and R^{17} are the same or different and each is a hydrogen atom or a halogen atom.

18. (Withdrawn) The compound of claim 17, wherein Ea is a bond.

19. (Withdrawn) The compound of claim 17, wherein R^{16} is a hydrogen atom, and R^{17} is a fluorine atom.

20. (Withdrawn) The compound of claim 16, wherein the partial structural formula

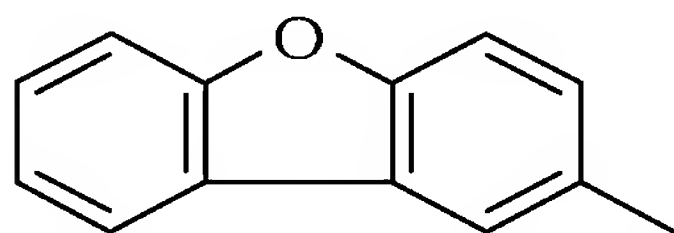


21. (Withdrawn) The compound of claim 20, wherein R^{11a} is a phenyl group having two substituents selected from an optionally substituted C_{1-6} alkyl group, an optionally

substituted C₁₋₆ alkoxy group and a halogen atom; Ea is a bond; and ring S^{1a} is a benzene ring without additional substituent.

22. (Original) The compound of claim 13, wherein the substituent(s) having a benzene ring is a substituent represented by the formula: R¹¹-E²- (R¹¹ is a phenyl group, an indanyl group or a naphthyl group, each optionally having substituent(s), and E² is a bond or a spacer), ring S¹ is optionally further substituted by a C₁₋₆ alkyl group, and R¹¹ optionally forms a ring together with E² and ring S¹.

23. (Original) The compound of claim 22, wherein R¹¹ is a phenyl group or an indanyl group, each optionally having substituent(s) selected from the group consisting of a halogen atom, a nitro, a carboxy, an optionally halogenated C₁₋₆ alkyl, a hydroxy-C₁₋₆ alkyl, a carboxy-C₁₋₆ alkyl-carbonylamino-C₁₋₆ alkyl, an optionally halogenated C₁₋₆ alkoxy, a C₆₋₁₄ aryl, a C₆₋₁₄ aryloxy and a C₇₋₁₆ aralkyloxy, E² is a bond, -O-, -CH₂-O-, -CO-, -CONH-, -N(CH₃)CH₂-, -S-CH₂- or -C=C-, ring S¹ is optionally further substituted by a C₁₋₆ alkyl group, the ring formed by R¹¹ together with E² and ring S¹ is



the substituent that ring R optionally has is a C₁₋₆ alkyl group, and Ra is a hydrogen atom.

24. – 33. (Cancelled)

34. (Currently amended) A pharmaceutical agent comprising the compound of claim 10, 13, 24 or 28 or a salt thereof or a prodrug thereof.

35. (Withdrawn - Currently amended) A method of regulating a GPR40 receptor function, which comprises administering an effective amount of a compound having an

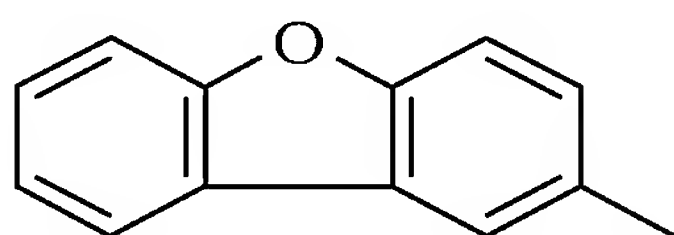
~~aromatic ring and a group capable of releasing cation~~ the compound of claim 13 or a salt thereof to a mammal.

36. (Cancelled)

37. (Withdrawn - Currently amended) A screening method for a ligand, agonist or antagonist to GPR40, which comprises using GPR40 or a partial peptide thereof or a salt thereof, and the compound of claim 13 or a salt thereof ~~a compound having an aromatic ring and a group capable of releasing cation.~~

38. (Withdrawn - Currently amended) A kit for screening a ligand, agonist or antagonist to GPR40, which comprises GPR40 or a partial peptide thereof or a salt thereof, and the compound of claim 13 or a salt thereof ~~a compound having an aromatic ring and a group capable of releasing cation.~~

39. (New) The compound of claim 22, wherein R^{11} is a phenyl group or an indanyl group, each optionally having substituent(s) selected from the group consisting of a halogen atom, a nitro, a carboxy, an optionally halogenated C_{1-6} alkyl, a hydroxy- C_{1-6} alkyl, a carboxy- C_{1-6} alkyl-carbonylamino- C_{1-6} alkyl, an optionally halogenated C_{1-6} alkoxy, a C_{6-14} aryl, a C_{6-14} aryloxy and a C_{7-16} aralkyloxy;
 E^2 is a bond, -O-, or -CH₂-O;
ring S^1 is optionally further substituted by a C_{1-6} alkyl group;
the ring formed by R^{11} together with E^2 and ring S^1 is



the substituent that ring R optionally has is a C_{1-6} alkyl group; and
 R_a is a hydrogen atom.